UNITED STATES COURT OF APPEALS

OCT 8 4 2004

CATHY A. CATTERSON, CLERK U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

LARRY DEWEESE

Petitioner - Appellant,

V.

MARK SELING, et al.,

Respondents - Appellees.

No. 04-35793

D.C. No. CV-04-5150-RJB Western Washington (Tacoma)

ORDER

CCT 1 2 2004

Before: PREGERSON and T.G. NELSON, Circuit Judges.

The request for a certificate of appealability is denied. See 28 U.S.C.

§§ 2244(d)(1); 2253(c)(2). All pending motions are denied.

A TRUE COPY

ATTEST

10/4/04

CATHY CATTERSON Clerk of Court

Deputy Clerk

This certification does constitute the mandate of the court.

i idaili aalii aibii asial dilal ilaal ailii aali ilaal) (**26)2**24 (((**2)1262)**) (2)((2)(2) 2) (22(

04-CV-05150-MAN